



Department of Justice

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CICERO, INDIANA BUSINESSMAN ORDERED TO PAY \$21,000 IN RESTITUTION FOR BACK WAGES

PRESS RELEASE

INDIANAPOLIS - Larry T. Prater, Sr., 59, Cicero, Ind., was sentenced to one year probation today by U.S. District Judge Larry J. McKinney following his guilty plea to failing to pay required overtime wages. This offense is a misdemeanor punishable by not more than six months imprisonment and not more than \$10,000 in fines. This case was the result of a several month investigation by the U.S. Department of Labor, Wage and Hour Division, and the U.S. Department of Labor, Officer of Inspector General, Officer of Labor Racketeering and Fraud Investigations.

Prater, who is the owner of Prater and Sons Concrete, in Cicero, Ind., was the subject of an investigation in 2006 by the U.S. Department of Labor Wage and Hour Division. The Wage and Hour Division is responsible for, among other things, enforcing the Fair Labor Standards Act which includes salaries and benefits and protections to workers. Prater, who employed several illegal aliens at his business, agreed that he had failed to pay proper overtime wages to them and agreed to pay back approximately \$41,824. Instead of paying the money back, however, Prater gave the workers their checks, but then accompanied them to the banks where he proceeded to take back part of the money, usually at least half, and then sent back the certification under penalty of perjury that the workers had been paid in full. When Prater's conduct was discovered, he had returned approximately 24 forms, however, many of these workers had not been paid the full amount owed to them.

According to Assistant U.S. Attorney Gayle L. Helart, who prosecuted the case for the government, Judge McKinney ordered Prater to pay \$21,836.68 restitution during his term of probation, but imposed no fine because of the amount of restitution left to be paid.

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